HIGH COURT OF JUDICATURE AT BOMBAY

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

65. CRIMINAL WRIT PETITION NO. 1111 OF 2020

Wajid S/o Mukhtyarmiya Shaikh
VERSUS
The State of Maharashtra and others

Mr. Sachin S. Panale, Advocate for petitioner
Mr. B.V. Virdhe, Addl. Public Prosecutor for Respts./State

CORAM : T.V. NALAWADE &
M.G. SEWLIKAR, JJ.
DATE : 2nd December, 2020

ORDER :

1. Today, the learned Addl. Public Prosecutor produced the communication of the Asstt. Police Inspector, Umarga Sub-Division of Police. It shows that CCTV footage of the police station of the relevant day is not available as on that date system of CCTV was not working. Some record like copy of general diary details dated 20/04/2020 is produced. It is mentioned that there is no CCTV footage of the date – 20/04/2020. It appears that some communication in respect of fault in CCTV system was made on 29/04/2020.

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2. This is not a first instance when the concerned police station has informed that CCTV system was not working. Some specific directions are given by this Court at this seat and at the Principal Seat also to see that CCTV systems are installed in every police station and it should cover lockup and other portion of police station. Such system controls activities like atrocities against persons who are brought to police station. It is surprising that in many cases submission is made that on that particular day, CCTV system was not working.

3. When such system is installed, some officer needs to be appointed to oversee the working of the system and every day the recording needs to be seen by some officer and entry about it needs to be made in some register. This procedure must have been followed by police station. This Court wants to see that the registers are maintained in respect of CCTV system in concerned police station to ascertain truthfulness of the submission that CCTV system was not working on that day. If the CCTV system was not working on 20/04/2020, ordinarily entry of the same in the register could have been taken immediately when fault was found with the CCTV system. There is no such record produced by the learned Addl. Public Prosecutor. These circumstances create serious suspicion

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against the concerned police station. This Court is hereby directing the District Superintendent of Police, Osmanabad, to look into the matter personally and make enquiry into the matter. This Court is again observing that in many cases it is informed to the Court that on that particular day the CCTV system was not working. This cannot be allowed to happen as the purpose behind installing the CCTV system itself is defeated when such submissions are accepted. This Court is hereby directing the District Supdt. of Police, Osmanabad, to make enquiry into the present matter and also into the procedure adopted about working of the CCTV system and maintenance of the record of the CCTV system in the police station. The report needs to be submitted before 18th December 2020. Keep the matter on 18th December 2020.

4. Authenticated copy of the order is allowed to both the sides.

Sd/-
(M.G. SEWLIKAR)
JUDGE

Sd/-
(T.V. NALAWADE)
JUDGE

Madkar

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